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Taking a stand by kneeling: An analysis of national anthem protest coverage

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Abstract

Colin Kaepernick of the San Francisco 49ers decided to protest the national anthem before a 2016 NFL preseason game because of systemic racial inequality and instances of police brutality, sparking a nationwide debate about the First Amendment, the national anthem in sports, and race, among other topics. His protest influenced many similar protests, including one by three members of the Nebraska Cornhuskers football team. This paper looks at the media coverage of the protests and the aftermath, examining both national and local print and broadcast news sources, to determine the degree to which the coverage adheres to the protest paradigm, which is a framework journalists use when covering protests that portrays the groups in a negative light. Coverage from sources generally adhered to some of the characteristics of the protest paradigm, which are framing, the reliance on official sources, use of public opinion, delegitimization, and demonization. However, journalists have gotten better about avoiding pitfalls of the paradigm, although the characteristics are still present in other ways. The paper looks at past examples of sports protests and examines the similarities between them and the current protests by Kaepernick and the Nebraska players. While the focus is on print and broadcast news, which includes web content, future areas of research regarding the protest paradigm could focus on the effect social media has on reporting on protest groups, and if there is a paradigm for the way journalists cover such events in an increasingly digital news landscape.

Keywords: protest paradigm, national anthem, Colin Kaepernick, Nebraska Cornhuskers

Taking a stand by kneeling: An analysis of national anthem protest coverage

As much as any of other freedoms afforded by the First Amendment, the right to protest, or as the founding fathers put it — the right to peaceably assemble and to petition the Government for a redress of grievances — has served a vital role in the shaping of the country. The United States was practically founded on protest. Protesting can be an effective political tool for a citizenry and can bring change on a level that sometimes might not be attainable otherwise. The ability to protest a government and its policies is indeed one of the greatest freedoms a person has. Hence why in the general narrative of the founding of the country, one of the more famous, glorified events is the Boston Tea Party. Many historical figures used political dissent or protest in order to create change. Rosa Parks and Martin Luther King, Jr., civil rights pioneers, used protest in a variety of forms to help spread their message of inclusion, equality and desegregation while denouncing racism.

As much as Americans value the rights guaranteed them by the First Amendment, the nature and scope of those freedoms have been at the core of a number of Supreme Court cases. People seem to value and support the ability to protest or peacefully assemble so long as they agree with the manner and time in which it was done more than whether they agree with the problem at the root of the protest. Consequently, the issues of time, place and manner are usually at the core of whether people support or oppose protests, which has prompted time, place and manner restrictions for such demonstrations. Cases like *Edwards v. South Carolina*, *Cox v. Louisiana* and *Brown v. Louisiana* have shaped and reshaped what freedom of speech means, and specifically, when, where and how people are allowed to protest (Brandenburg, 1968; Cox, 1964; Edwards, 1962). Society is constantly pushing the boundaries to test just how far the limits of these freedoms extend. People do not always agree on how much freedom should be extended

in regard to speech, religion, and especially protest. Despite the freedom to protest government being a vital part of democracy, protests are often viewed unfavorably, which is reflected in public attitudes about protests as well as the coverage of such events. This is especially true for marginalized and fringe groups, be they social, religious, cultural or political. The disfavor may be truer for protests that occur when people are trying to entertain themselves, such as at sporting events, music concerts or other large public entertainment gatherings. People generally expect, and therefore deem somewhat appropriate, protests outside of the Democratic or Republican National Conventions, for example. However, the same cannot be said for protests that may occur at a Chicago Cubs game on a summer afternoon, or more recently, on the sideline of a preseason National Football League game. This aspect is important to remember and will be integral in understanding the reaction and news coverage of the protests examined in this paper.

Regardless of affiliation however, there is evidence the mainstream media coverage of protests often undermines the efforts of the protesters and portrays their cause in a negative fashion. While this is especially true, not to mention more prominent, for protests involving violence, destruction of property, or clashes with law enforcement, it is also true with silent and peaceful protests or marches where no incident occurs, albeit with major differences.

Protesting has always been a part of the fabric of American society, but in recent years, protests have received an increase of media exposure, especially considering the wave of racially charged police shootings of people of color, coupled with the ability for people to stream these interactions on video. One need not look far to find coverage of the wave of protests following the election, as well as those that are in response to unconstitutional laws. Making matters more complicated has been the simultaneous rise of social media during that same time, which has allowed for an unprecedented amount of exposure and access for protest groups. Social media,

and the increased reliance on mobile media technology, have worked for protest groups in the same way it worked for the general news media landscape, in that it gave the audience the power to generate its own content and provide first-person perspectives of events. It has also allowed for more immediate reaction and discussion, for better or worse. Instead of public discussion being moderated and led by the mainstream news media, people can directly discuss or argue with others without the middleman. Likewise, protest groups need not rely on the news media for exposure in a way they might have previously. Being able to spread information via Facebook or Twitter, as well as livestream events to these platforms, has enabled protest groups to circumvent the mainstream news media to some degree. That, however, does not mean the media's coverage of these events has lost its impact on the way the public perceives these groups. In fact, the increase of voices only lends more credibility to those with the most recognition or the largest following.

Protests come in many forms, but who is protesting and the method by which they do it are often issues of greatest contention. Critics of protests often give myriad reasons why the manner of a certain protest was inappropriate. Sometimes the criticisms are practical, mentioning the effects on traffic or other public inconveniences. Other times the criticisms are from a legal perspective, as when questions of valid permits and appropriate locations arise. More often than not, the criticisms are philosophical or political, in how people perceive the protest is often determined by whether they inherently agree with them. For instance, someone who voted for Donald Trump in the 2016 election more than likely did not agree with the purpose of the Women's March in the weeks that followed. Likewise, the protests and demonstrations following the killing of Michael Brown in Ferguson, Missouri, in 2014 were unpopular among many in this country who do not think police brutality is an issue that needs to be addressed.

There have been a plethora of protests, marches, and demonstrations in the last several years in response to instances of violence between police and citizens, especially cases involving the deaths of unarmed people of color at the hands of police officers. Sparked by the killing of Brown, an 18-year-old black man, by a white police officer, swaths of people protested and clashed violently with law enforcement across the country, which influenced the creation of the Black Lives Matter movement. Many other demonstrations have accompanied subsequent of violent, deadly police interactions in other U.S. cities. The issue of police and race relations has taken center stage for much of the last few years. This is nothing new for a country only 150 or so years removed from legalized slavery, and only a half century removed from the Civil Rights movement.

Colin Kaepernick, a professional football player in the National Football League, engaged in his own form of protest in August 2016 when he decided to sit down during the national anthem before an NFL preseason game, citing racial injustice and police brutality as the reasons for his actions. What followed was a media firestorm and ongoing debate about not only the issues he was protesting, but also about the First Amendment and the role of nationalism and patriotism in sports. Kaepernick intended to start a discussion, and he certainly did that, although it may not have been the conversation he wanted to have, which brings up the role of the media in covering his protest. Kaepernick struck a negative chord with much of the American public, even those outside of the sports world. He also influenced a number of others around the country to participate in similar kinds of protests, all of which featured protesting the national anthem at sporting events. One prominent and controversial example of a protest influenced by Kaepernick took place before a college football game between the University of Nebraska-Lincoln and

Northwestern University in September 2016, when three Nebraska players knelt during the national anthem in support of Kaepernick's cause.

The mainstream media's impact on the effectiveness of protests has long been a topic of study for communication scholars. Over time, a trend in coverage of protests has emerged that serves to undermine and delegitimize certain protest groups, which is known as the protest paradigm. It is essentially a framework journalists typically follow when covering protests, and it is influential in determining the legitimacy of the protests in the eyes of the public.

This paper will look at the way the mainstream sports and news media covered Kaepernick's national anthem protest, and the degree to which that coverage adhered to the protest paradigm on a national level. Additionally, this paper will also analyze the local coverage of the protest by the Nebraska football players, with the ultimate purpose of comparing the coverage to see if protests for the same cause are handled differently at the local and national levels. In the process, this paper will attempt to answer several questions about the media's role in covering protests and the effect that coverage has on public perception, as well as questions involving patriotism and activism in sports by athletes:

- To what degree was the coverage of Colin Kaepernick's national anthem protest about the issues he was protesting instead of the manner in which he protested?
- How effective was Kaepernick (and the Nebraska players) in starting a discussion or affecting change on a local or national level?
- What effect did Kaepernick's status as a professional football player in the NFL have on his credibility and his ability to have voice heard?
- Was the coverage of both Kaepernick and the Huskers fair and balanced in terms of the protest paradigm, and in what ways did the coverage of the two protests differ?

Literature Review

At the core of this research is the concept of the protest paradigm, which is a widely applied analytical concept used to study the mainstream news coverage of protest groups that buck the status quo. The protest paradigm was developed over a number of years from contributions by a number of different scholars and researchers, including Halloran, et al. (1970), Gitlin (1980), Murdock (1981), and Chan and Lee (1984), but the most influential in its formation have been Douglas M. McLeod and James K. Hertog (1995, 1997, 2001, 2007). The protest paradigm is a set of news coverage patterns that typifies mainstream media coverage of protests, disparaging protesters and hindering their role as vital actors on the political stage. The paradigm provides a way to evaluate how equitable coverage of social protests is, and serves as a template for covering these types of stories that journalists are trained, albeit somewhat unintentionally, to abide by.

Traditionally, protest groups are on the fringes of society and have difficulty getting visibility, funding, resources, respect, and disseminating information and exerting influence. Not all protest groups lack the necessary resources and exposure, but many struggle in these regards. Peaceful protest groups have historically lacked the exposure because they do not necessarily make good news stories. Protests that turn violent and result in property or bodily damage or clashes with police make for good television, whereas a silent protest does not interest nearly as many, nor is it as intriguing of a story, which until recently meant coverage might be scarce. The emergence of social media has allowed for protest groups to gain their own exposure through a variety of platforms and outlets, but the effects social media have on protest coverage will not be included in this paper. Though an important aspect of the news-making process, there are far too many variables to account for when considering how social media affect protest coverage.

Additionally, the protest paradigm had not been applied to the way journalists cover these events in real time on social media platforms, which is perhaps a future area of research.

Typically, the coverage of these groups, or lack thereof, created a real issue for them. McLeod (2007) wrote that protest groups “often find themselves in a double-bind: be ignored by the media, or resort to drama and risk that these events might be used to delegitimize the group. In essence, the protest paradigm contributes to an escalation in tensions when activist groups feel that their voices are not being heard, leading conflicts away from healthy discourses toward dysfunctional outcomes.” Shoemaker and Reese (1996) outlined the specific characteristics of the protest paradigm, which are products of the forces that shape general news production, including framing, reliance on official sources and official definitions, invocation of public opinion, delegitimization and demonization. Each component of the protest paradigm will be explained in more depth later in this paper.

While the protest paradigm is widely used as an influential theory to understand news coverage of protests, there are several who have challenged the paradigm or have suggested some kind of refinement, arguing things have changed a bit since the inception of the theory nearly two decades ago. Bishop (2013) argued there has been a normalization of political protests over the last few decades, while DeLuca (1999) has noted that many groups have adapted to the paradigm, and now organize events with media presence in mind and engage in certain forms of protest action. Also, Cammearts (2012), has argued that protest groups are much more professional and organized in their communication with the media, and also are increasingly controlling their own message and an alternate account of events via social media. Another criticism is that the protest paradigm focuses solely on the negative coverage, without giving attention to any positive coverage of the protest groups (Trivundza and Brlek, 2017).

While these are valid criticisms, the protest paradigm still provides the best framework for analyzing the news coverage of such protest groups. The paradigm is not above refinement, and in fact a supplemental objective of this research is to see if the protest paradigm is applicable to all forms of protest. Another secondary goal of this paper is to see if there are indeed changes to be made to the protest paradigm.

Framing

The protest paradigm will be the focus of this paper, but it is not the only concept that will be relevant in understanding the implications of the way these protests are covered. At the root of the paradigm are several others that help clarify exactly how news outlets adhere to the paradigm. An integral part of the paradigm characteristics is framing, which Erving Goffman (1974) first described as frame analysis. Though Goffman was the first to present the idea, others like Fairhurst and Sarr (1996) and Scheufele (1999) have helped develop the theory. Framing implies the media shapes and presents information in a manner that intends to make the audience see it in a certain way. The framing of an event greatly influences how people understand and interpret the information. Fairhurst and Sarr (1996) outline several framing techniques, such as metaphor, stories, tradition, slogan, artifact, contrast or spin.

Politics and Nationalism

Also important to understanding how protests are covered is understanding what role politics, nationalism, and patriotism have in sports, especially football. The public response to Kaepernick included many complaints that the quarterback was bringing social and political issues onto the athletic field, which was where fans go to get away from real-world problems. Sports can be seen to provide an escape for the public, and sports have served that role on a national scale, especially following tragic events like 9/11. But Kaepernick and others who have

protested in their role as athletes were not the ones who brought politics into sports. Politics long have been entangled in sports like football, both in the literal and figurative sense, and likewise for sports in politics. Even the languages people use to talk about football and politics resemble each other. Talk of winners and losers, using metaphors such as “horserace” to describe elections, comparing games to war, and using military phrases — all of these point to the association most people make between politics and sports (Billings, Butterworth & Turman, 2015). Lawrence A. Wenner, author of *Media, Sports and Society* (1989), noted that “the symbiotic relationship between politics and sports has yielded both recurring sports themes in politics and recurring political themes in sports,” (p. 160). So it is no surprise then that one’s football fandom might be deeply rooted in a sense of nationalism or patriotism.

The national anthem, which was the backdrop of the protest, is as much a part of football as the game itself, from high school to the pros. Celebrities and famous musicians are often pegged to do the honors, and the spectacle of the song before games is part of every broadcast. It is so deeply tied to football now that many fans do not know football without it, and certainly view it as one of the more important and reverent traditions of the game. Renditions of the national anthem at sporting events, especially after events such as 9/11, have become a rallying point for the country, as they did during the Major League Baseball World Series of that year. But as Billings, Butterworth and Truman (2015) point out, many fans do not view the inclusion of or reverence toward the national anthem at sporting events as political, but as patriotic. They argued the opposite:

In the case of the national anthem, its presence is political because it defines a game in terms of nationalism, suggesting that a sporting event is an appropriate place to affirm the principles that bind Americans together as a people. By contrast, its absence, or a protest against its presence, is political because it calls those very principles into question. Politics, then, must be understood in both moments of affirmation and moments of contestation (pg. 163).

Professional sports leagues like the NFL have so engrained themselves in these patriotic and militaristic ideologies that they try to use certain events as rallying points to tap into those feelings from the fans. One such example is the death of former NFL-player-turned-Army-Ranger Pat Tillman, who died by friendly fire in Afghanistan in 2004. The NFL played into these themes of patriotism and nationalism to show the heroic sacrifice Tillman made and in essence served to rally support around the idea of serving one's country. However, Tillman himself did not necessarily agree with the war, and his feelings of opposition were often omitted in the narrative after his passing, as was the detail of his dying by friendly fire instead of enemy fire. Butterworth (2012) argued that by overlooking these details, and omitting any reference to dissent in his and others' military service memorials at the NFL Hall of Fame, the league essentially "reduced citizenship to flags and anthems and foreclosed honoring dissent as a critical democratic function," (p. 254).

This is significant because it helps explain the mindset the NFL, and, by extension, its fans have about things like protests during the national anthem, regardless of how it was done. The NFL, in essence, culturally opposes the type of dissent Kaepernick and others displayed. And because many in the public associate the flag so closely with the military symbolically, fans also took the protest to be anti-military and anti-police, though that was not the case in Kaepernick's own words. As it currently stands the national anthem in many leagues could come across as forced patriotism, stoked by the passion of competition and a love of victory that coincides with being an American. The militaristic language used to describe the game helps people make the connection that the love of football and love of country are almost identical, and that any attempt to upset that identity is an egregious offense. This despite the fact that the NFL

only honors the military strictly for financial gains, or “paid patriotism” as many have called it (Theobald, 2016).

Methodology

There are manifold reasons for using the national anthem protests for the purpose of evaluating the mainstream newspaper coverage’s adherence to the protest paradigm. First, Kaepernick’s protest does not fit the typical mold for protest groups for a number of reasons. His protest was initially an individual effort, and only after gaining exposure did others join in to show support. As an NFL football player, and one with a considerable amount of success earlier in his career, he has the benefit of already having an established following, making it easier to influence others and spread his message. Furthermore, most analyses and studies of the protest paradigm concern more extreme groups such as anarchists or anti-war protesters, and many concern events that became violent. Kaepernick’s protest was neither violent nor ostentatious, and in fact was a passive action. Because it defies the typical characteristics of protests previous studies have analyzed, it will allow for a better understanding of the way the mainstream media treats other protest groups, especially ones involving prominent public figures, or athletes in this case. It is important to note although these kinds of protests typically are not among those studied with the protest paradigm, that does not mean Kaepernick’s protest, or the manner in which he did it, is necessarily novel or unique. Like many athletes before him, Kaepernick used his platform as an athlete to attempt to bring attention to social injustice.

The reasons for protesting by the Nebraska football players are mostly the same, although one major difference is that in the local community, the athletes protesting are indeed part of the minority as black students in a predominantly white city and state. The fact that these are student-athletes, as opposed to professional athletes like Kaepernick, is significant as well.

Professional athletes are afforded much more freedom to say and do as they want compared to student-athletes, who are not only subject to public scrutiny, but also potential punishment or consequences from their institution. The students did not face any punishment from the school in this instance, but many students who have protested similarly in the past have, like at Creighton University in the early 1970s, when the cheerleading team was disbanded for several years after a protest during the national anthem prior to a men's basketball game. The difference in reaction to both of the protests was immense and indicative of how people feel about athletes addressing social issues within the confines of the sports arena, as well as the degree to which people support the methods or participants of the protests.

News organizations

The media publications used for analysis are both sports-specific outlets as well as general news organizations. For analyzing the Kaepernick protest, the analysis will focus on coverage from *The New York Times*, *USA Today*, *The Wall Street Journal* and ESPN. *The Times* and *Journal* serve as examples of general newspaper coverage, while ESPN and *USA Today*, at least in this instance, will be considered sports news outlets (*USA Today Sports* is one of the more prominent sports outlets, despite being a part of the broader daily national newspaper). For the purpose of analyzing the protest of the Nebraska football players, the outlets will include *The Lincoln Journal Star*, *The Omaha World-Herald*, ESPN, and *USA Today*.

The emphasis on print and digital media is deliberate, considering the amount of attention given to the protests by such outlets. It also gives a more finite number of examples to look at, compared with the innumerable video content of the issue. Additionally, the nature of broadcast sports news tends to be rooted more in entertainment and vibrant personalities than traditional print journalism. In analyzing the Nebraska football example, however, television and broadcast

news will also be included. Several Lincoln- and Omaha-area broadcast stations will be part of the content analysis and will provide a better idea of how local outlets covered the event.

Framing, while an inherent part of story construction, is arguably more prominent in television because the stories can literally be framed in a certain way based on optics, word choice, lower-thirds, colors, graphics, and a number of other visual characteristics. The stations used were from both Omaha and Lincoln, and included different network affiliates. From Omaha, the stations included in the analysis are NBC affiliate WOWT, ABC affiliate KETV, CBS affiliate KMTV, and the FOX affiliate KPTM. Lincoln has a much smaller population than Omaha, so only two stations were used, including the ABC affiliate KLKN as well as the CBS affiliate, 10/11 News (also known as KOLN/KGIN).

Because Kaepernick's protest was ongoing, the date range of articles being analyzed spans several months. Meanwhile the Huskers protest was a one-time occurrence, so the coverage pales in comparison and only spans about a week in time. Hence why there are so few packages from the television stations to analyze.

The sources being used for the Kaepernick content analysis can be divided by two groups: traditional news outlets like the *New York Times* and *the Wall Street Journal*, and sports outlets like ESPN and *USA Today*. Kaepernick continued his protest through the end of the season, meaning the time period this paper will focus on will be from his initial protest in late August through the end of December 2016. The date ranges for each publication will vary due to the nature of each publication.

The New York Times and *the Wall Street Journal* were chosen because they are the second and third highest-circulation newspapers in the country, respectively, and offer contrasting approaches to their sports sections while both serving a national audience. *The Times*

focuses on broader sports topics, moving away from game stories and focusing on profiles, features and quirky sports stories others are not writing about. *The Journal* has a much smaller sports operation, limited to one page in print, and likewise focuses on quirky sports topics and witty columns like a recent piece titled, “The seven leadership secrets of great team captains” (Walker, 2017).

USA Today, the largest circulation newspaper in the U.S., was chosen for the sports side because its sports section is one of the more prominent, influential outlets in the sports media realm. ESPN was used for obvious reasons. The ESPN content however, will not include video content because of the sheer amount of it over that period of time. Instead of dealing with the prospect of a seemingly infinite amount of video content, analyzing the print sources allows for a more finite number of articles to look at. When explaining the findings of the analysis as well as the comparisons between the coverage or news and sports outlets, the explanations will be collective rather than individual.

In total, 182 articles will be analyzed, including 86 from ESPN, 66 from *USA Today*, 20 from *The New York Times*, and another 10 from *The Wall Street Journal*.

For the purpose of the content analysis for the Huskers protest coverage, this paper will use several local sources, including newspapers and television stations, as well as national news and sports outlets. The local sources include the *Omaha World-Herald* and *The Lincoln Journal Star*, and several local ABC, NBC, CBS and FOX affiliates in the Lincoln and Omaha area. The national outlets used will be ESPN and *USA Today*, but it should be noted their coverage of the Husker protest pales in comparison to their coverage of Kaepernick’s protest, but it does provide a glimpse of what the national coverage of the protests looked like among sports publications.

In total, 39 items will be examined, including 24 print articles from *The Omaha World-Herald* and *The Lincoln Journal Star*, and 15 broadcast videos from the various Omaha and Lincoln CBS, NBC ABC and FOX affiliates.

The purpose for analyzing ESPN as the main sports source is because it has the most extensive sports coverage and relies mostly on reporting in its online content. There are other outlets that are gaining in reputation and exposure, like Bleacher Report or SB Nation, but both of these are sites based on blogging and aggregating content. Sports magazines like *Sports Illustrated* or *Sporting News* also were not included because of their waning influence in the media industry as well as the fact that long-form journalism has the benefit of time to do more in-depth coverage, meaning they avoid many of the pitfalls of the protest paradigm naturally.

Protest Paradigm

The reason for using the protest paradigm to analyze the national anthem protests is that it will allow for an understanding of the way news organizations cover these types of protests, which can determine how the public views the person or group protesting. The paradigm itself has five key characteristics that journalists usually follow when covering protests: framing, the reliance on official sources, invocation of public opinion, delegitimization, and demonization. The content analysis will be qualitative rather than quantitative, and will focus on the aforementioned aspects of content to see the extent to which it adheres to the paradigm.

Framing. As explained earlier, framing refers to the way in which the media present the story. Shoemaker and Reese (1996) described framing as, “to select some aspects of perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, casual interpretation, moral evaluation, and/or treatment recommendation for the item described.” Typically, journalists frame protests in a number of

ways. They use the “crime story,” which focuses on any crimes or violations of rules, such as emphasizing physical damage or number of arrests issued over other aspects of the event. They use “the riot” narrative, which focuses on any altercations with police, especially when they are donning riot gear and attempting to disperse crowds via the use of weapons or other forceful means. Likewise, “the carnival” narrative frames the event as something not to be taken seriously, something run amok by fanatics or people looking for attention. Another frame that is sometimes, though not often, used is the “debate” frame, which obviously frames the narrative in a way that fosters discussion and poses the protest as an argument or debate as opposed to the more violent implications associated with the other frames (McLeod, 2007).

Use of official sources. The second characteristic of the protest paradigm is the reliance on official sources and official definitions in describing the protest. McLeod (2007) explained that journalists’ use of official sources gives news stories prestige, increases news productivity efficiency, and adheres to the rituals of objectivity. But there are some pitfalls when relying on solely official sources. It can make powerful perspectives more valuable, which downplays challenging perspectives from others. Using official sources lends credibility to the journalist, but also serves to undermine other perspectives. Just because a source is an official in the sense of a job title, that person’s perspective or opinion on the matter is not necessarily more valuable than that of an unofficial source, like someone who participated in a protest (McLeod, 2007).

Public opinion. According to the protest paradigm, stories pay considerable attention to the appearance and behaviors of the protesters to show their deviance from social norms, and they use public opinion to validate just how deviant these groups are. McLeod and Hertog (1992) said that public opinion is embedded within news coverage of social protest at two levels: the micro-descriptive level, which is informal characterizations; and the macro-conceptual level,

which is general conceptions of public opinion. At the micro-descriptive level, stories bring up public opinion in a number of ways, including through statements about public opinion, depictions of compliance with or violations of social norms and laws, and portrayals of bystanders as symbols for public reaction. At the macro-conceptual level, the news coverage may have underlying conceptions of public opinion as either aggregated individual opinion, attempts of various groups to affect public policy, or a mechanism of social control (McLeod & Hertog, 1992).

At the micro-descriptive level, the most obvious form of public opinion comes in the form of actual opinion polls, which McLeod and Hertog (1992) claimed were rarely used at the time, although that is not the case for the Kaepernick protest, and perhaps no longer the case, as social media have made the ability to conduct polls or surveys instantaneously. This ability for nearly anyone to conduct a poll raises the issue of credibility in these polls. Those not conducted in partnership with a reputable polling company using scientific methods are suspect but are common nonetheless. The use of illegitimate polls can have the effect of falsely portraying how people actually feel on a broad scale.

General statements of public opinion could be statements that include phrases like “the national mood,” “public sentiment,” or “most/many people feel.” The invocation of social norms and laws is important because it helps in identifying the level of deviance of the protest group. The third form of public opinion at the micro-descriptive level is media depictions of actions that uphold or violate community standards, which is largely up to the interpretation of the journalist. The last, using bystander reactions and comments, simply relies on the accounts of people who may or may not have any idea of what is actually going on, but their reactions still may carry weight in the eyes of the public (McLeod & Hertog, 1992, p. 261).

At the macro-conceptual level, there are three alternative conceptions of public opinion. The most common is public opinion as aggregated individual opinion, which is not all that dissimilar from public opinion polls. While they can sometimes be indicative of actual public opinion, polls are often wrong and are unreliable sources for gauging public opinion at best. Additionally, this conception also ignores the individual difference of opinion and the impact of group affiliation. The second conception is public opinion as the active attempt of groups to influence public policy, which imagines public policy as a clashing of interest groups in the political sphere. This conception is also problematic because it does not treat individual opinions equally. The last, public opinion as a mechanism for social control, conceives of public opinion as a social consensus of social norms and values enforced by a system of social control (McLeod & Hertog, 1992).

Delegitimization. The fourth characteristic of the protest paradigm is the media's apparent deligitimization of the protest groups by failing to adequately explain the meaning and context of the protest actions, which can lead the audience to perceive their efforts as futile, pointless, and even irrational (McLeod, 2007). This happens in a number of ways, but most common among them is when journalists pose the question of whether the protest was a success or a failure. This could be said to have happened in the Kaepernick example, as people immediately aimed to delegitimize his cause on the basis that he used the national anthem to do it, all the while ignoring his actual motives for protesting. People do not generally want to be on the losing side of anything, so by posing this kind of question, the legitimacy of a protest in the minds of the public can come down to whether the media portray the protest as successful or not. In other words, if the protest is portrayed as a lost cause, people might willingly accept that perspective without actually knowing the extent of the situation.

Demonization. Like the media's attempts to delegitimize protests, their coverage often serves to demonize the protesters as well. Often the media coverage demonizes the protesters by including content that identifies potential threats as well as negative consequences of protests, both personally and socially, which again takes the focus away from the underlying issues at hand and focuses on how they might be adversely affected by their actions. The coverage might discuss negative consequences that result from the protest, such as violence, property damage, traffic congestion, and expenditure of community resources (such as paying law enforcement). Though these are generally factors in the story, by automatically emphasizing the potential harms over any potential benefits of the protest, the media can make the protesters out to be hooligans, thugs, or even criminals (McLeod & Hertog, 1999). One interesting thing about silent protests like Kaepernick's however, is that much of this kind of talk was missing, with the exception of a few mentions of local police feeling offended by his actions and threatening to boycott the team and cease providing security at games. Another way demonization is evident in the coverage is when it focuses on aspects like the protester's appearance, clothing, or other things unrelated to the protest.

Sports protests historically

Because sports hold such a prominent role in American culture and society, using the arena as a platform for protest is not only legal and appropriate, but fairly common. People do not always read or hear about the protests or the political and social statements made by athletes, but athletes have a long history of activism, which includes protests like the one being examined in this paper. Not all of these protests have been centered on issues of race and class, but many of them have, meaning more often than not the athletes protesting are people of color. There is something to be said for the fact that in many professional sports, especially football and

basketball, many if not most of the athletes are black, and they have an increased role to be vocal champions for their communities. Athletes in general, but especially athletes of color, have platforms unlike any they have had before, at least in this country. It should not be overlooked, either, that one of the driving factors in sports becoming integrated across color lines was protest. Below are some examples of sports protests, from both student-athletes and professional athletes.

Student-Athlete Protests

Though maybe without the notoriety of professional athletes, student-athletes have long used protesting as a means to create or influence change on campus. College campuses in general are breeding grounds for political and social movements, as many students find their political voices, become more aware of issues affecting their lives, and are compelled to make themselves heard. Though the concerns of student-athletes differ from those of professionals, they are generally rooted in racial or social injustice, or in unequal treatment of certain groups of people — mainly, racial and ethnic minorities and people of color. Sometimes the protests are in the form of boycotts, walk-outs, or traditional marches and demonstrations, but the point is they come in many forms and how they are carried out is often dependent on the reasons people are protesting and the goal they aim to achieve.

Not surprisingly, most of the student-athlete protests have featured students of color, who used their role as athletes to try to affect change that otherwise may not have happened. At some point, probably just before the proliferation of sports on television, student-athletes realized how much leverage they had on their academic institutions. College athletics is a multi-billion-dollar industry, and at many schools, the athletic department is the primary revenue generator, with football being far and away the most lucrative sport. According to a *USA Today* report on NCAA athletic department finances from April 2016, a total of 28 schools across the country bring in

\$100 million or more annually, solely from their athletic departments. The University of Nebraska raked in over \$112 million in 2015-16, good for 22nd most nationally (“NCAA Finances,” 2016). And if the student-athletes are the products that these schools use to sell tickets and merchandise, then they have power in their positions as athletes to stop the wheel from turning. The thinking goes, Nebraska can’t make money if the players do not play. Granted, the schools still have the upper hand in these instances, given that there are internal and broader NCAA rules that generally prohibit this type of action. In fact, in 1969, the NCAA went so far as to rewrite its code on the subject, giving schools the ability to revoke or suspend scholarships and other athletic opportunities of athletes who participate in such activities (Smith 2007). However, the NCAA did change those rules in 2012, granting a level of protection for athletes from losing their scholarship or spot on the team because of something they say. It would undoubtedly look bad for a school to punish athletes who protest social injustices by revoking scholarships or admission to the school, but from 1969-2012, schools basically had free rein to pull the rug out from under student-athletes for reasons unrelated to athletic performance (Stahl, 2015). Nonetheless, many athletes at a number of universities and colleges all over the country have taken part in some form of social or political protest, whether that was protesting the school itself or the broader political and social systems.

As in professional sports, it took quite some time for collegiate sports to integrate, and there were varying levels and speeds at which schools were willing, or not willing, to comply. On the whole, college athletics integrated long before professional sports. The history of integration in college sports is much too long and complex to explain comprehensively in this paper, not to mention well outside the scope, but in order to understand the whole picture a little better, a brief summary will suffice.

George Jewett became the first college football player to break the color barrier in the Big Ten Conference at the University of Michigan in 1890, and several others followed suit in the years after. Interestingly enough, Jewett also broke the color barrier at Northwestern (Smith, 2007). Another George — George Flippin — became the first black football player at the University of Nebraska in 1891 (Johnston, 2011). That college football had broken the color barrier before the turn of the century is no doubt monumental, if not inconsequential, for by the 1940s-1950s many of the nation's teams still not only refused to have black athletes, but also refused to play against teams that did. Schools in the southern states, which obviously opposed integration, would often refuse to play against schools that fielded black athletes, which also often prompted those schools to sit those players or else forfeit the game.

Within the next two or three decades, parallel to the Civil Rights and Black Power movements and around the time of major court decisions like *Brown v. Board of Education*, black athletes were recruited by, played on, and even started for certain teams. How well they played is irrelevant, but having more black athletes on more teams across the country gave the collective black population more opportunities to not only go to college and play sports, but to have a platform for being heard and seen in a way they likely did not have before.

Such is the case with the Michigan State University football team in the 1960s. The head football coach at the time, Hugh “Duffy” Daugherty, had made a name for himself in the 1950s for bucking the trend of fielding only white teams and recruiting black football players from the South. Thus, Michigan State became known for being willing to integrate instead of segregate, and paved the way for many other schools to adjust their approach. At this time, most schools still did not have a single black player, let alone have a fully integrated squad. But Daugherty's decision to recruit and play many black football players was not one made on some philosophical

opposition to segregation – it was first and foremost a football move, one intended to help his team win games. That is not to say Daugherty was not a progressive man or coach, but simply that it is not as altruistic as some might think at the onset (Smith, 2007).

Nonetheless, as Michigan State and other integrated programs began seeing success on the field, other coaches, even in the South, followed suit in order to stay competitive. But for those schools that had stayed segregated for so long, the athletes did not forget how difficult it was to make that progress, and athletes across the country began protesting in response. Between 1967 and 1968, there were more than three dozen instances of protests or boycotts by mainly black student-athletes, including at Michigan State (Smith, 2007). As Harry Edwards notes in his influential book, *The Revolt of the Black Athlete*, these protests occurred at the same time as the Black Power and Civil Rights movement, and like the recent national anthem protests, were inspired by larger movements (1969).

At Michigan State specifically, a place where black athletes had enjoyed much more opportunity and equality than most football programs, the protest came after the assassination of Martin Luther King, Jr. Following his death, an assistant coach made a comment about King's death having nothing to do with practice, not considering how many of his players were deeply affected by the death of the Civil Rights leader. In response, the black athletes boycotted spring practice in 1968, arguing that while black athletes were a major part of Michigan State, there were still no black coaches in the entire athletic department and a dearth of black players in sports other than football. In addition to demanding the hiring of more black coaches, the athletes requested an increase in black cheerleaders, athletic department employees, and even an academic counselor (Smith, 2007, pg. 126). Their protest was short-lived, but effective. Twenty-four of the football players threatened to boycott for an entire year if their grievances were not

addressed, but ended their boycott just a day after because the school agreed to try to meet their demands and immediately began hiring black coaches and employees and recruiting black athletes.

What is interesting is that to outsiders, Michigan State football was the poster-child for integration, so many did not understand or agree with the athletes' complaints. Many felt as though they had it best out of anyone, including Daugherty, who did not support or understand his players protest, and therefore thought they should just be happy to have what they had. But like many of the athletes mentioned in this paper who take part in protests, they were not just trying to selfishly gain attention for themselves or make much ado about nothing. As John Matthew Smith (2007) wrote in recounting the history of this team: "Thus, the boycott's aim was not primarily to secure benefits for the players themselves, but to ensure equal treatment for future black athletes and provide opportunities for African Americans at all levels of the university," (p. 128).

Other examples from the time include protests — not specifically protesting the anthem — by athletes at the University of Kansas, University of California-Berkeley, Michigan, Brigham Young University, University of Oklahoma, the University of Wyoming, and at least a dozen other schools (Edwards, 1969).

But there are some examples of national anthem protests at the college level in particular. The most famous is the silent protest on the medal stand at the 1968 Summer Olympics in Mexico City, when American sprinters John Carlos and Tommie Smith raised their gloved fists to protest racism and inequality, although they were not representing a university at the Olympics, but rather a country.

Kareem Abdul-Jabbar, then known as Lew Alcindor, refused to stand for the national anthem while playing for UCLA, which prompted legendary head coach John Wooden to have the anthem played before the players came out of the locker room. Abdul-Jabbar also boycotted the Mexico City Olympics that featured Smith and Carlos' protest. (Brown, 2016; Morales; 2016).

At Brown University on March 8, 1973, eight black cheerleaders did not stand for the national anthem before a basketball game against Providence College. As with current protests, the actions were met with broad disdain by the general public but were publicly supported by some school officials while being berated by state lawmakers. The Providence City Council announced an investigation after condemning the protest. The discussion was reminiscent of the reaction to the most recent protests, in that their reasoning was the subject of great concern, although the women themselves did not offer an official statement other than to say the flag does not represent them ("Under," 1973). Similarly, eight black Creighton cheerleaders objected to being on the court for the national anthem in 1971, leading to the disbanding of the cheerleading squad for three years (Nemitz, 2011).

More recently, it seems another wave of student-athlete activism is underway, with protests at schools like the University of Missouri, where a boycott by the football team led to the resignation of the school's president in 2015. The players — with the public backing of their head coach at the time — were protesting the treatment of African Americans on campus and standing in solidarity with a fellow black Missouri student who was on a hunger strike for similar reasons (Nocera, 2015). This came just a year after the aforementioned Michael Brown was killed in Ferguson, Missouri, and the racial tension in the community was palpable. The boycott was significant not just because a major college football program's season was in jeopardy, but

also because it brought up larger issues of free speech on campus and the safety of minorities on campuses like Missouri, where more than 75 percent of students are white, according the university's Institutional Research department (2016).

There are specific examples of student-athletes participating in similar national anthem protests like the one Kaepernick and the Husker players did. In 2002, a Manhattanville College player named Toni Smith refused to face the flag for the national anthem, and subsequently received mostly a negative response from the public, which no doubt had fresh memories of 9/11 in their minds and were still overwhelmed by the patriotism in the air at the time (Billings, Butterworth & Turman, 2013, p. 162).

The aforementioned 1968 Summer Olympics yielded arguably the most famous example of athlete protests, not to mention one that used the anthem as a platform as well. At the height of the Black Power movement, Smith and Carlos used their status as Olympians to protest racial discrimination and injustice in the U.S. and elsewhere in the world. Smith and Carlos placed first and third, respectively, and on the podium after receiving their medals, each raised a black-gloved fist while the national anthem played. The Mexico City Games were already marred by controversy beforehand with the prospect of athlete boycotts and other concerns. But because Smith and Carlos decided to participate in the games, their protest after the race was the best opportunity to make a statement. The protest itself was inspired by aforementioned sociologist Harry Edwards, who was a professor and friend of Smith's at San Jose State University, as well as the driving force behind protests at the games (Hartmann, 2003). In addition to raising a gloved-fist, the symbol for black power, they decided not to wear shoes and wore buttons supporting the Olympic Project for Human Rights (OPHR), an organization founded by Edwards in hopes of getting black athletes to boycott the games.

Their actions were met with swift and harsh criticism and punishment as all three medalists, including second-place finisher Peter Norman of Australia (who did not raise a fist but wore a OPHR button in support) were barred from competition and sent back to their respective countries and faced even more scrutiny back home. Smith and Carlos received death threats and were the subject of intense backlash from many fellow Americans, which has come to be a typical response to these types of actions. Smith and Carlos were also suspended from the U.S. Olympic team and did not compete in another games for the country, let alone cash in on the typical opportunities one has after achieving Olympic glory (Ruggles, 2016). They never competed in another Olympics for the U.S.

Professional Athlete Protests

In college sports there have been many protests involving the national anthem or the flag as a means to get the point across, but in professional sports there has been quite an impressive group of athletes who used the national anthem to protest well before Kaepernick did. While many of the student-athlete protests were focused on similar concerns, that is not always the case for protests by professional athletes, though many are brought upon by feelings of inequality and racial injustice.

One of the most well-known examples of a national anthem protest was by former National Basketball Association player Mahmoud Abdul-Rauf, who as a point guard for the Denver Nuggets in 1996, refused to stand and face the flag during the national anthem because he viewed the flag as a symbol of oppression (Washington, 2016). Comparatively speaking, Abdul-Rauf's protest is the most similar example with which to compare to Kaepernick's protest, and surely people who remembered the former's protest made the connection when the 49ers quarterback did the same thing.

Where their situations differ is that Abdul-Rauf faced a level of criticism that arguably surpassed that of Smith, Carlos and Kaepernick (although Kaepernick's fate is still undetermined). Abdul-Rauf had attended Louisiana State University, where he went by the name Chris Jackson, before changing his name because of a conversion to Islam after getting drafted third overall by the Nuggets. He had a successful start to his career with the Nuggets, and seemed to be establishing himself as a premier guard in the league when in the 1995-1996 season he decided he did not want to stand for the national anthem. Like Kaepernick, his absence on the court or his sitting during the anthem went unnoticed initially. That is until a reporter asked him about it. The NBA suspended Abdul-Rauf for one game and fined him \$32,000 (Washington, 2016). But the real punishment would not come in the form of a fine or a suspension, but rather the eventual blackballing from the rest of the league.

After his suspension, he agreed with the NBA to stand for the national anthem before games, but he would be allowed to pray with his head down while it played. And yet, despite averaging a team-high 19.2 points that season, the Nuggets cut back his playing time and traded him to the Sacramento Kings after the season ended. The Kings essentially did the same thing by phasing him out of the rotation and cutting back his minutes. By 1998 he was out of the NBA and not a single NBA team was interested in his services. He retired in 1999, and then came back for one season in 2000-2001 with the Vancouver Grizzlies, but he played sparingly and was back out of the league at season's end (Washington, 2016). It is not a stretch to think that it is no coincidence he was not playing less than two years after he started his protest. In addition to losing his job right before the prime of his career, and losing out on who knows what kind of money and potential stardom, he received the typical death threats and even had his house burned down (Perez, 2017).

Abdul-Rauf's protest was also significant in that players at the time were not apt to protest or make controversial statements. Players were beginning to make much more money, especially from lucrative shoe and endorsement deals, and players were apprehensive to lose a contract or new deal. Michael Jordan is famously quoted as saying, "Republicans buy sneakers too," (S. Smith, 1995). While it speaks to Abdul-Rauf's conviction and courage to stand up for what he believed, he surely paid the price financially, not to mention socially.

Though not a national anthem protest, other NBA players had faced similar consequences for speaking up. One such example is former Chicago Bulls player Craig Hodges, who handed former President George H.W. Bush a letter asking him to do more to end injustice toward African-Americans when the Bulls visited the White House following their title in 1992. Consequently, no NBA team, the Bulls included, ever signed Hodges again and he sued the league for being blackballed, though his lawsuit failed (Eligon & Cacciola, 2016).

Plenty of other athletes across a number of sports have been activists or have spoken out on social injustices. Historically, professional athletes such as Muhammad Ali, Arthur Ashe, Bill Russell, Jim Brown and Billie Jean King have all used their fame as athletes to stand up for what they believe in. All of these athletes were at one point among the best, if not *the* best, in their respective sports, but that did not always lend itself to credibility in the view of the public. While society often remembers these athletes endearingly and looks upon their activism as heroic and courageous, its reaction in the moments after is anything but.

Muhammad Ali provided the most famous example of athlete protest when the world champion boxer protested the Vietnam War in 1967 and refused to join the Army when drafted, saying his Islamic faith made him a conscientious objector to the war, which resulted in an arrest

for draft evasion. He was also stripped of his world championship and was unable to box in the U.S. for three years after having his boxing license revoked (Perez, 2016).

Tennis player Arthur Ashe was famously mild-mannered and reserved, and while a student-athlete at UCLA in the 1960s, he struggled internally with whether he should be politically active. But as he became a professional he began increasingly commenting on social issues. By the time he won the 1968 U.S. Open, he had fully inserted himself into the cause and began regularly speaking out directly about race relations and civil rights issues across the country, as well as apartheid in South Africa. His international fame as an athlete gave him a platform unlike many others, and he used it to rally others to his causes. According to Eric Allen Hall (2011), “The participation of African American athletes in the freedom movement increased the visibility of African American activists as a whole, drawing attention to those who suffered racial discrimination in sport and throughout American society” (p. 490).

Jackie Robinson is most known for breaking the color barrier in Major League Baseball in 1949, becoming the first African-American to play in the big leagues. But more important than his athletic achievements, for indeed he was an outstanding player, were his contributions to society on a symbolic level. He paved the way for other black athletes to become professionals in previously segregated leagues, but he also represented a model for them to follow. It was not as though Robinson joined and all was right in the world. He endured immense racism and bigotry, and more than probably any other athlete in history, had an intimate look at the treatment of black athletes in major sports.

He was highly regarded for his class and fortitude for enduring what he did, but Robinson was defiant on and off the field, which was reflected in his politics. Perhaps it is no surprise Robinson had a similar stance to Kaepernick’s, although it is not often mentioned when people

talk about the former Brooklyn Dodger. In his autobiography, *I Never Had It Made*, Robinson talks about his feelings toward the flag in the book's introduction, which is not much different than Kaepernick's stance. Robinson wrote: "As I write this twenty years [sic] later, I cannot stand and sing the anthem. I cannot salute the flag. I know that I am a black man in a white world. In 1972, in 1947, at my birth in 1919, I know that I never had it made" (Robinson, 1995, p. xxiv).

Not all of the politically and socially active athletes during this time were black. Billie Jean King, the iconic female tennis player who championed women's rights and other causes, was a white athlete who did not shy away from her outsized public role as an international tennis star. She pushed for equal pay, gender equality and inclusion, and though she did not really engage in literal protests like many of these other athletes, her role in the sporting world was more akin to Robinson's than Kaepernick's.

In the several years preceding Kaepernick's protest, athletes across a number of sports had begun making political and social statements on T-shirts, via social media, in postgame interviews, and at award shows. Steve Nash, while playing for the Dallas Mavericks in 2003, wore a shirt during warmups that read, "No War. Shoot for Peace," in opposition to the U.S. invasion of Iraq (Schiavenza, 2015). Nash was a fairly outspoken player regarding issues like war and immigration. When he was playing for the Phoenix Suns in 2010, both he and the team were critical of the controversial SB1070, a law passed in Arizona that was dubbed the "Show me your papers" law because it gave law enforcement free rein to question anyone's citizenship status for any reason. The team wore jerseys with "Los Suns" emblazoned on them, and Nash and then-general manager Steve Kerr both publicly denounced the bill (Witz, 2010).

Derrick Rose, and later many others, wore a shirt in 2014 that read “I can’t breathe,” following the death of a man named Eric Garner at the hands of police officers in New York, who choked and ultimately killed Garner on the sidewalk for selling cigarettes. Several other athletes, including LeBron James, Carmelo Anthony and several WNBA players all wore shirts with similar messages (Perez, 2017). In 2014, four players for the then-St. Louis Rams walked onto the field with their hands up, invoking the phrase “Hands up do not shoot,” which became a rallying cry after the death of Michael Brown in Ferguson, Missouri. The words were said to be Brown’s last before being shot by police officer Darren Wilson (Chow, 2014).

National anthem in sports

For context on why the national anthem was such a controversial platform for Kaepernick and others to use, a brief look at the origins of the song and the history of the national anthem in sports is in order. “The Star-Spangled Banner,” as the anthem is officially called, was written by Francis Scott Key, after he witnessed the Battle of Fort McHenry while captive on a British ship, as an homage to the bravery of his countrymen. However, it was not always our anthem, and it certainly has not always been played before sporting events either.

The song did not officially become the national anthem until 1931, but efforts were made for decades before then to make the song the official anthem by a group known as the Daughters of 1812, as well as a man named John Philip Sousa, who wanted “The Star-Spangled Banner” to be America’s song and went so far as to play it at concerts across the world so people would begin to recognize the song (Murphy 2017, p 55). According to *Sports Illustrated’s* Austin Murphy, the World Series in 1918, which was during U.S. involvement in World War I, between the Boston Red Sox and the Chicago Cubs was the first time the national anthem was played at games. Reportedly, during a listless Game 1, the Comiskey Park band played “The Star-

Spangled Banner” during the seventh-inning stretch, and the stadium roared singing in unison. The Red Sox owner at the time decided to play it before game time in all three of the games in Boston, and perhaps unwittingly started a trend that would grow into what many apparently consider one of sport’s most solemn traditions. Murphy adds that by the 1960s, the song was commonplace in stadiums across the country, and surely it has only become more of a spectacle and treasured ritual as the years have passed (2017, p. 56).

Given its place in the minds of the fans, the major professional sports leagues in the U.S. naturally have addressed this matter and all four of the major sports have all but required the national anthem be played. Major League Baseball has played the anthem before all of its games since 1942. The National Football League has required the national anthem since its inception, as has the NBA since its inception in 1946. The National Hockey league has mandated the anthem since 1946. The newest of the major sports leagues, Major League Soccer, was only formed in 1996, but given the tradition and precedent set by the other four leagues, it too requires the anthem be played before every game (Borden, 2016). The NCAA does not have any guidelines that strictly require the national anthem be played before games or that athletes must stand up for it (Morales, 2016).

The country’s attachment to its many symbols seems to have no bounds, and any perceived slight toward the anthem or the flag in particular elicits strong, usually negative, reactions. This is especially true for athletes of color, as evidenced by the multitude of examples listed in this paper, who usually receive harsher criticism. Take for instance the 2016 Olympics in Rio de Janeiro, Brazil. American gymnast Gabby Douglas faced a wave of criticism for not holding her hand over her heart during the playing of the national anthem after winning a gold medal. However, when a white male track athlete also did not put his hand above his heart, there

was no public outcry about his perceived irreverence toward the flag. Nor was there any talk of disrespect when Michael Phelps was laughing throughout the playing of the national anthem after winning a gold medal (Adelson, 2016).

After Kaepernick's protest began, many critics claimed the national anthem was a song that celebrates racism and slavery. Journalist Jon Shwarz of *The Intercept* argued the all but forgotten third verse of the song celebrates the deaths of slaves at the hands of the British. The third verse reads, "No refuge could save the hireling and slave / From the Terror of flight or the gloom of the grave," which Shwarz says celebrates the deaths of those former slaves who were enlisted to fight with Britain (2016). Of course, the meaning behind the song is open to interpretation, as it was written almost 200 years ago, and not everyone agrees with Shwarz's assessment. Mark Clague is one of those people. Clague is a musicologist and professor of music history, American culture and African and AfroAmerican studies at the University of Michigan who has written a book on "The Star Spangled Banner." Clague argues the same verse Shwarz claims is racist is actually celebrating the heroes, white and black, who helped defend Fort McHenry (Clague, 2016). As Clague told *The New York Times* in response to Shwarz, "The social context of the song comes from the age of slavery, but the song itself isn't about slavery, and it doesn't treat whites differently from blacks," (Schuessler, 2016). So while the jury is still out on whether the anthem celebrates racism, it is easy to see how the song can be divisive and not universally liked.

Protest Paradigm Analysis

This section will introduce both Kaepernick's protest and that of the three Nebraska football players, explaining their reasons for protesting, the reactions from the community, and the different sources that will be analyzed. The content analysis will focus on the extent the

coverage adheres to the protest paradigm, meaning it will be viewed through the characteristics of that concept. The analysis will look at the framing, use of public opinion, reliance on official sources, and whether the coverage attempts to delegitimize or demonize the protest groups.

Colin Kaepernick protest

On August 26, 2016, before an NFL preseason game between the San Francisco 49ers and the Green Bay Packers, Colin Kaepernick was seated on the bench in his uniform during the playing of the national anthem. What had gone unnoticed for two games, Kaepernick sitting while the anthem played, suddenly became a great topic of conversation, especially after an NFL.com reporter decided to ask him why.

As it turned out, Kaepernick's sitting was intentional, and in fact an act of protest directed at the flag and the national anthem, symbols Kaepernick would later explain were ones of oppression for people of color and minorities in this country. It did not take long for the story to blow up and dominate national headlines. NFL.com reporter Steve Wyche noticed Kaepernick sitting on the bench before the game, and was the first to break the story, likely unaware of the impact the story might have. Suddenly Kaepernick was the most notorious athlete in America, all because he silently protested (without announcement) during the national anthem (Wyche, 2016).

Backlash for Kaepernick was immediate and harsh, and many fellow athletes, coaches and others across the league, not to mention the general public, quickly began voicing their displeasure with his actions. People such as President Donald Trump and Supreme Court Justice Ruth Bader Ginsburg were among the most notable to express their displeasure, with the former suggesting Kaepernick leave the country if he is unhappy and the latter calling it "dumb and disrespectful," (Liptak, 2016).

Many people took his actions to be anti-military or anti-police, and others cited the inappropriateness of using the flag and the national anthem as the platform, saying it was disrespectful. And yet others were of the mindset that athletes should just “stick to sports” and avoid expressing themselves. Football is celebrated with religious fervor in the U.S., and some even said they opposed his protest because football was their escape, their entertainment, and he was bringing politics into a place where it did not belong. Many critics also cited his status as an athlete as a reason why he should not be allowed to protest, as though professional athletes are too privileged to be aware of issues or are just looking for attention or money. Several critics, especially former athletes and sports commentators, chided Kaepernick’s actions because they said they were a detriment to the team, this despite the fact that several of his teammates and head coach publicly stated the opposite (Powell, 2016). And then there were those who stooped the lowest, and arguably made more evident Kaepernick’s point, by resorting to racist, bigoted remarks and even sending death threats – all for taking a knee (Walker, 2016).

Of course, not all reactions were negative. Many teammates and athletes defended his actions, though they were far outnumbered compared to his detractors, at least publicly. Former President Barack Obama, while not outright supporting Kaepernick’s cause, noted the value in “exercising his constitutional right.” Added Obama: “I think he cares about some real, legitimate issues that have to be talked about. And if nothing else, what he’s done is he’s generated more conversation around some topics that need to be talked about” (Victor, 2016).

It is important to note that at the time of his protest, Kaepernick was the backup quarterback who had only recently recovered from a string of operations that had sidelined him for part of the previous season. Kaepernick had started his silent protest before the first preseason game, but nobody noticed until the third preseason game because that was the first game he was

suited up to play. Kaepernick sat during the anthem until his protest gained publicity, but then changed his method to kneeling after speaking with former NFL player and U.S. Army Green Beret Nate Boyer, who was supportive of his cause but suggested kneeling was a more respectful gesture (Peter, 2016).

Several other football players, including teammate Eric Reid, as well as Broncos linebacker Brandon Marshall, joined Kaepernick in his protest, and he would eventually be joined by five of his teammates. Megan Rapinoe, a star soccer player for the United States Women's National Team, was the next notable athlete to take part in kneeling before the anthem, doing so before games for both her club the Seattle Reign, and the USWNT (Victor, 2016). Before long, several NFL teams had players taking part in the protest, and the protest spread across multiple sports. College, high school and even Pee-Wee football teams began kneeling during the anthem. WNBA teams, such as the Phoenix Mercury, Indiana Fever, Minnesota Lynx, and others, also took part (Bromwich, 2016). There were examples found in nearly every sport at nearly every level. The protest transformed from a one-man act to a national movement that spanned the country. Sports reporter Lindsay Gibbs tracked the anthem protests as they were reported across the country. Within nine weeks of Kaepernick's initial protest, a total of 49 players across 13 NFL teams participated, as did 14 WNBA players, eight NBA teams, and even an Olympic swimmer. But outside of the professional ranks is where his protest had the most influence, with protests occurring at least 52 high schools — including here in Lincoln, Nebraska — 43 colleges, one middle school and two youth leagues in 35 states. There were even protests in at least three other countries (Gibbs, 2016). The tracking of the protests was as of November 2016, so it does not account for any protests that may have happened after.

Kaepernick's protest was largely in response to the increasing number of instances where minorities and people of color — a large percentage of whom were black, and unarmed — were killed or beaten at the hands of police officers. When asked for his reasoning after the game, Kaepernick gave the following response:

I am not going to stand up to show pride in a flag for a country that oppresses Black people and people of color. To me, this is bigger than football and it would be selfish on my part to look the other way. There are bodies in the street and people getting paid leave and getting away with murder... This is not something that I am going to run by anybody. I am not looking for approval. I have to stand up for people that are oppressed. ... If they take football away, my endorsements from me, I know that I stood up for what is right (Biderman, 2016).

Kaepernick faced reporters on numerous occasions and explained his stance more elaborately, and his protest became the story of every 49ers game for most of the season — largely because they were a terrible team. Kaepernick expressed disgust at the fact there was a lack of accountability for law enforcement when citizens are injured or killed in interactions with police. Kaepernick's main goal was to bring attention to an issue he felt was receiving inadequate attention, despite sometimes blatantly obvious video evidence of police violence. He wanted to start a national conversation about police brutality and racial injustice, and to a large extent he accomplished that goal, although he obviously did not end police brutality or racial injustice, as those continue to happen (Inman, 2016).

In conducting an analysis, there are several questions that are hoped to be answered, including the questions mentioned in the introduction section as well as other, more specific ones related directly to this scenario. Questions like:

- Did coverage focus more on reactions to his protest or on the action itself?
- How much attention was given to the actual issue of police brutality and racial injustice in the coverage?

- Did coverage differ between sports outlets and traditional news outlets?
- What does the public reaction, and the subsequent media coverage, say about the attitude in this country toward people of color protesting, especially athletes?

University of Nebraska football players' protest

Kaepernick's actions influenced a wide range of copycat protests across the country. One of the more prominent examples that happened at the collegiate level was before a football game between Nebraska and Northwestern on September 24, 2016. Before the game between the Wildcats and Huskers, three Nebraska players — Michael Rose-Ivey, DaiShon Neal, and Mohamed Barry — knelt during the playing of the national anthem and bowed their heads in prayer.

Nebraska does not perform the national anthem with the teams on the field at home games, as Northwestern does, so this was possibly the only chance the players would have to stage a protest like Kaepernick's. Unsurprisingly, the players were met with a level of vitriol that even Kaepernick did not receive. After all, there are a considerably more safeguards in place for professional athletes compared to college athletes, not least of which is having a salary, even if it is not fully guaranteed.

The three were immediately chastised for their protest on social media and within the community. People were calling on Twitter for the players to get kicked off the team, expelled, have their scholarships revoked, and a few even suggested the players should be shot, lynched or hanged on the field before the next football game. There were calls for a boycott of future home games as long as they continued to protest (overlooking the reality they could not actually protest at home games). But the negative criticism was not limited to the general public. The governor of Nebraska, Pete Ricketts, called the players' protest "disgraceful and disrespectful," (McKewon

& Nohr, 2016). A University of Nebraska Regent, Hal Daub, also weighed in, calling the protest “disruptive” and agreeing with calls to kick the players off the team (Dunker, 2016). Daub’s comments went far beyond those of Ricketts or other prominent critics, saying the players demonstrated “poor judgment” and that players “are not supposed to do things that create disparagement or negative implications,” (Dunker, 2016). He added:

It’s a free country, they do not have to play football for the university either. They know better, and they had better be kicked off the team... they won’t take the risk to exhibit their free speech in a way that places their circumstance in jeopardy, so let them get out of uniform and do their protesting on someone else’s nickel. Those publicity seeking athletes ought to rethink the forum in which they chose to issue their personal views at the expense of everyone else (Dunker, 2016).

Several notable people and organizations also came out in support of their actions within the community, including UNL President Hank Bounds, head football coach Mike Riley, the school newspaper, *The Daily Nebraskan*, as well as the editorial staffs at the *Omaha World-Herald* and *The Lincoln Journal Star*, and ACLU of Nebraska Executive Director Danielle Conrad (Dunker, 2016). The UNL student government also voted unanimously in support of the players’ protest (Ruggles, 2016).

The goals of Rose-Ivey’s, Neal’s and Barry’s protest are the same as Kaepernick’s at least in the sense that they were directly influenced by the former’s actions. Their situations might be different from Kaepernick’s given their status as amateur student-athletes in a conservative state, but their reasoning behind the protests were similar – to call attention to police brutality and racial injustice and begin a national conversation on how to improve the interactions between police and minorities and people of color.

While three of them participated, Rose-Ivey was effectively the leader. He had informed Riley of his intentions before the game and had the opportunity to explain his decision to the team, and only after did Barry and Neal decide to join him. The senior linebacker gave an

impassioned and emotional speech to the media the following Monday explaining his actions. He explained their protest was indeed one in solidarity with Kaepernick.

Rose-Ivey spoke to reporters in a scripted speech outlining the many reasons for his protest. The transcript of his speech is much too long to include in its entirety, but there a few notable quotes that warrant inclusion.

As everyone is aware, this past Saturday, before the game against Northwestern, DaiShon Neal, Mohamed Barry and myself kneeled in solidarity with Colin Kaepernick and many other athletes across the country, both professional and non-professional, who are standing together to use their various platforms to bring awareness about police brutality and the recent deaths of black men and women at the hands of police officers...

As we looked at what's been going on in this country, the injustices that have been taking place primarily against people of color, we all realized that there is a systemic problem in America that needs to be addressed. We felt it was our duty to step up and join the chorus of athletes in the NFL, WNBA, college and high school using their platforms to highlight these issues.

We did this understanding the implications of these actions, but what we didn't expect was the enormous amount of hateful, racially-motivated comments we received from friends, peers, fans, members of the media and others about the method of protest. While you may disagree with the method, these reactions further underscore the need for this protest and gives us just a small glimpse into the persistent problem of racism in this country and the divisive mentality of some American.

To make it clear, I am not anti-police, I am not anti-military, nor am I anti-American. I love my country deeply and I appreciate the freedoms it professes to afford me... It is my hope that in taking a knee, the consciousness of the entire nation will be raised and everyone will be challenged to truly come together and word toward fairness, equality and justice for all (McKewon & Nohr, 2016).

Neal noted he was not bothered by the criticism, saying many people "showed their true colors" in their response. "Coming out with racial slurs, the N-words, hatred words, hatred letters, all of that different stuff. Saying 'I hope you break your leg and do not play' again type of stuff. I'm used to all that. That doesn't bother me at all," Neal said. However, Neal apologized if his decision to kneel offended any military personnel, adding, "But I do not apologize for my act of taking a knee. I'm going to stick to what I believe, and what I believe is right" (McKewon & Nohr, 2016).

Barry noted that the anthem is the perfect platform for protest, asking, “What’s another time when people would actually talk about it? If we did it during practice, no one would talk about it. If it was any other particular moment — but the national anthem, that glorifies America and all that, that’s the perfect time” (McKewon & Nohr, 2016).

Though the motivations and reactions to the both Kaepernick’s and the Husker players’ protest were similar, the questions this analysis will try to answer are a little different.

Specifically, questions like:

- Does being a student-athlete open one up to more or less criticism for these types of actions?
- In a state where football reigns supreme both socially and financially, what does the response to the athletes say about the general attitude toward peaceful protest in Nebraska?
- In what ways did the coverage hurt or help the players’ message?
- Did being student-athletes change the way their protest was perceived by the public?
- What effect does social media have in the coverage of protests?

Colin Kaepernick analysis summary

The Kaepernick protest lasted months, and the news coverage has been ongoing, which allowed for a lot of different types of stories and improved the coverage, which perhaps minimized the pitfalls of the protest paradigm. But it did not avoid them completely, as the analysis shows several of the protest paradigm characteristics are present throughout the coverage.

Framing. The framing of protest groups according to the protest paradigm usually involves framing protests in a negative light. While this primarily applies to more radical protest

groups, it applies in instances of both peaceful protests and more active ones. The frames commonly used for protests in the past, like the riot, crime story, or carnival frames, were not seen in the coverage of Kaepernick, but largely because of the nature of the protest. Rather, the most common frame used across the board was the debate frame, which set up the Kaepernick protest as an argument worthy of discussion, which was incidentally a goal of Kaepernick's anyway. Framing a silent protest like Kaepernick's as a debate or discussion is much more appropriate than using any of the other frames, for obvious reasons, but a notable aspect of the coverage of Kaepernick's protest did not focus on the issues he wanted people to discuss. Instead, the debate focused on his methods and his perceived patriotism, among a slew of other aspects such as his credibility, his right to protest, and the implications on his NFL future. Much of the coverage from the sports outlets in particular focused on the opinions of sports figures and those in the military, largely focusing on whether they agree with Kaepernick's actions. For example, out of the 69 articles from ESPN, no fewer than 31 focused solely on the opinions or reactions of a single player or team, seemingly random at times. A good portion of those focused on players and coaches who were in the military or have family in the military, constantly presenting the protest as if it was directed against the military.

Generally speaking, the framing of the stories was consistent across the publications examined, although some were much better than others. *The New York Times'* coverage of Kaepernick focused mainly on the issues Kaepernick wanted to address, whereas ESPN spent much of its time questioning the validity of his argument. For example, the Times had stories looking at the bigger picture with stories titled "Colin Kaepernick's anthem protest underlines union of sports and patriotism," and "Colin Kaepernick and the question of who gets to be called

a patriot” (Borden, 2016; Morris 2016). Most of ESPN’s coverage featured what so-and-so said about the protest each week, seldom diving deeper.

The New York Times coverage was the soberest and objective of the coverage, not to mention balanced, mainly because it did not rely on the bevy of sports figures that ESPN or *USA Today* did. Instead, the *Times* focused on the primary stakeholders involved, like Colin Kaepernick, other athletes who protested, their teammates, and the NFL. *The Wall Street Journal’s* coverage was not all that different from the *Times*, except the *Journal’s* tone in its sports section is more informal and conversational. It only spans one print page, and is not the focus of the paper by any means, so the focus often takes different angles.

Public Opinion. Public opinion was used in the coverage of Kaepernick’s protest, both in the form of opinion polls and the form of generalized statements about the attitudes of certain groups of people. However, it was not necessarily the primary focus of the coverage. Most statements concerning public opinion simply summed up attitudes about how people felt, based on public reaction on social media and in interviews. Statements like “many veterans feel,” or “most people disagree with” are examples of use of public opinion, which is not necessarily wrong to say, but may inaccurately imply how the public feels and influence others to feel the same, especially in a protest with such notoriety. Though used a few times, much of the coverage did not rely on opinion polls as much, but the public opinion manifested itself in other ways, such as through aggregations of tweets, as when *USA Today* posted a story featuring a random assortment of opinions from athletes on Twitter, with seemingly no criteria for whom was chosen.

ESPN’s coverage focused heavily on the opinions of other athletes as interview subjects for their stories, which consequently made the focus of those stories Kaepernick’s method and

whether the national anthem is the right place to do it. *USA Today* did a lot of the same, focusing on the opinions of other athletes, although many of their columnists paid heed to the core of Kaepernick's issues. *USA Today* was much more selective in whom they sought opinions from, focusing primarily on those who protested and their teammates, coaches and their team's front office. To give an idea of how heavily the coverage focused on the reactions of other players, ESPN included quotes from some 85 different athletes, across 24 NFL teams and a number of American professional leagues. *USA Today* enlisted the reactions of 50-plus athletes, both active and retired, which conveyed a sense of public opinion in the sports world, but also was so random that it makes one question the inclusion of certain player reactions.

Official Sources. The reliance on official sources in protest coverage often has the effect of minimizing the impact of the protesters' message by relying on the authority of someone in an official capacity, such as a police officer, government official, or another authority figure. However, because Kaepernick's protest did not come in the form of a demonstration or march on a public street or park, the need to rely on municipal officials like police officers or others was not as important, although there were several stories about the reactions of local law enforcement and military personnel. In Kaepernick's case, the official sources would be the commissioner of the NFL, Roger Goodell, the San Francisco 49ers organization, the NFL Players Association or other league sources, not including players or coaches. And because Kaepernick's protest focuses on national issues, the likes of former President Obama, President Trump, and Justice Ginsburg qualify as official sources, at least in the sense they represent the government at the highest level.

Other than using official sources to the extent necessary to provide fair and balanced reporting, much of the coverage avoided the reliance on official sources that is typical of the

protest paradigm. Both the *New York Times* and the *Wall Street Journal* were good about not relying too much on official sources, but ESPN and *USA Today* were far more reliant on them comparatively. ESPN's coverage tended to randomly include quotes from people such as Trump, even when the story did not involve him or particularly require his input. In one such story about the reactions of the Oakland Raiders, a quote by Trump is included, albeit as a stand-alone comment, which seemed out of place in a story about how different Raiders players felt about the protest (Gutierrez, 2016).

Delegitimization. This characteristic usually comes in the form of journalists inadequately explaining the underlying issues at the heart of the protest, which in this case were police brutality and racial injustice, and therefore making them appear illegitimate. While those issues were mentioned, very few stories in general, and almost none by the sports outlets, looked at exactly what the problem was and explained it in detail. This could perhaps be because many people do not necessarily agree those are problems people face, but approaching this from that perspective only serves to undermine the message automatically. The delegitimization in the coverage also comes in a different form than normal, but there are still parts of the coverage that serve to delegitimize the efforts of Kaepernick to have his voice be heard and enact some sort of social change. Instead of coming in the form of inherent bias on behalf of the journalist, such as describing the protest in a negative light, the delegitimization manifests itself in the ratio of quoted sources that agree or disagree with Kaepernick. Some stories will have as many as seven people quoted, with only two of the seven supporting Kaepernick. ESPN had several articles wherein the negative comments far outnumbered the positive ones, potentially giving the audience the impression that most people feel the same way. Another form of delegitimization is focusing on issues not related to the protest, such as the protester's appearance, and not

adequately explaining the issues at hand. While his reasoning was surely explained, not much of the coverage dove into the issue of police relations with minorities and people of color.

Additionally, Kaepernick's hair, his social media interactions, and even his clothing choices were topics of conversation, which all serve to take away from his credibility. ESPN in a number of stories focused on or referenced the clothing Kaepernick wore at practice or during press conferences, which included shirts adorned with the likes of Malcolm X, Martin Luther King Jr., and Che Guevara. Kaepernick also received attention for a pair of socks he wore that depicted police officers as pigs, which elicited a number of negative responses. Kaepernick also wore his hair in an afro for much of the season, and this was a topic of conversation on television, if not so much in print.

Demonization. While some of the sources used may have demonized Kaepernick with their comments, in general the coverage largely avoided making Kaepernick out to be a bad person. However, by focusing on the national anthem aspect of his protest, and therefore invoking ideas of him being unpatriotic or anti-police or anti-military, the coverage in a way did demonize his cause, as evidenced by the number of people who said they agreed with his cause but not with his methods. While many on social media and on sports talk shows attacked the credibility, appearance, and other aspects related to, but not primarily concerned with his protest, the coverage in digital and print focused mostly on the national anthem aspect. Another form of demonization comes in the focus on potential negative consequences as opposed to positive ones. For the stories that focused on how Kaepernick might be punished or if it will affect his playing time negatively, the idea that he was hurting himself and his career was implied, which makes people question him and his motives as genuine.

Findings. Overall, the coverage of Kaepernick mostly adheres to the protest paradigm, though with marked improvements from previous protest coverage. Some characteristics of the protest paradigm were more prevalent than others, and none of them were ubiquitous in every outlet's coverage, but still present nonetheless. The coverage is best regarding the framing of the issue, which is largely framed as a debate, but the general reliance on public opinion and official sources mostly meet the standards of the protest paradigm, focusing on the reactions of fellow players as well as political leaders. The coverage also has some delegitimizing and demonizing effects, though not to the extent that is typical of coverage of more radical protest groups. Kaepernick's reasoning is included in many stories, and he was forthright about explaining himself in the months following his protest, sometimes to his perceived detriment. What was not often included however, at least by ESPN and *USA Today*, were the specific issues of racial injustice and police brutality Kaepernick mentioned, and the ways his protest could lead to change. There were stories about Kaepernick and other athletes meeting with local law enforcement or government officials, but these did not dive deeper into those issues as much as they simply explained an event that happened in relation to the protest. This could be because many people in this country do not agree there are issues of police brutality or racial injustice. Perhaps it is because the root causes of those issues are systemic and almost too much to tackle in a news article. Regardless, the effect is the same.

Huskers analysis summary

It is important to remember the coverage of the Huskers' anthem protest is much smaller and spans a much shorter time period — about two weeks compared to the four-to-five months of initial Kaepernick coverage (he is still in the news for reasons related to the aftermath of his protest). While there were trends that emerged in the coverage, there were fewer examples to

examine, so the results are from a relatively small sample size of sources, albeit from a variety of media organizations. The coverage between the two protests had several similarities and a few differences, given the different dynamics between the athletes and the media covering them.

Framing. In terms of the print sources examined, the framing of the Huskers' protest was largely as a protest, but one that was a distraction the university had to deal with. The debate frame was used, but not as often as in the Kaepernick coverage, which may have been a byproduct of the fact that the protesters in this instance were student-athletes. There was no denying that Kaepernick received more deference as a political actor, despite the widespread criticism of his actions. The Huskers players were not seen as having the same credibility, which seemed to stem from the fact they were students and were under the rule of the school for which they play football.

Conversely, the television news coverage of the protest several times framed the protest as a "controversy," only referring to the event through the lens of the effects it might have among Nebraska government and university officials. This framing paints the protest in a negative light, as if the protest is on par with an actual controversy such as a football coach getting a DUI or an academic scandal. This was most common in television broadcasts. Debates do not necessarily carry negative connotations, and given the primary goal of the national anthem protests – to raise awareness and start conversations on these issues – the debate frame is by far the most appropriate to use.

Public Opinion. As is the case with much of the coverage of Huskers sports, the opinion of the public (i.e. Huskers fans) is an aspect of coverage that almost cannot be ignored. Consequently, the coverage often included, although not necessarily relied, on the general attitudes of the public in the form of generalized statements like, "many Huskers fans felt." Print

sources did not rely on public opinion as much as the broadcast sources, and were proactive in focusing on the perspectives of the athletes involved and relying less on the opinions of random bystanders or public opinion polls, with the exception of seeking opinions from some former Husker football players. For example, both the *Journal Star* and the *World-Herald* surveyed former Husker football players for their thoughts on the protest (Chatelain, 2016).

The broadcast sources often summarized public opinion using generalized statements or on-air polls, which are unscientific and biased, not to mention misleading. They also included opinions from bystanders and military veterans, which try to give a sense of how the community feels, but in coverage of protest events public opinion serves to undermine the message and give credence to people who may or may not have a valuable perspective on the issue. Another way public opinion was indicated in stories was through norm invocation, or the idea that what the Huskers were doing was abnormal or deviant from the norm, and therefore unacceptable to do. Likewise, when fellow players would express how they support the protest but would not kneel during the anthem like they did, it had the effect of making the protesters seem abnormal.

Official Sources. This is probably the characteristic of the protest paradigm to which the coverage of the Huskers' protest adhered most, although it was not always done in the way typically prescribed by the paradigm. The use of official sources usually involves relying on those sources to provide context and explanation for the protests, and the effects, rather than the protesters themselves or other people more closely involved. So while the journalists working this protest may not have sought them out, official sources were still a major part of the coverage. Mainly, the coverage focused on the reactions from a number of high-ranking officials in the state, including Ricketts and Daub. Not surprisingly, both were highly critical of the

Huskers' protest, and in a state that is largely conservative, their opinions can carry a lot of weight and influence.

Of course, one must include their comments, especially when they are so incendiary, but it is a fine line between including them because they are newsworthy and including them for the purpose of providing an opposing opinion for the sake of it. Though the media relied heavily on official sources, not all of those official sources were critical of the protests, and in fact more university and state officials came out in support of the players than did not (within the items being examined for this paper), including UNL President Hank Bounds, Chancellor Ronnie Green, and Senator Ernie Chambers, to name a few (Dunker, 2016). When presented together they provide balance and also help to avoid some of the consequences of an overreliance on official sources, such as telling the story from the perspective of the powerful. It is not wrong or inappropriate to seek the reactions of the governor, but when a story compares Rickett's reaction to that of the players, it is as if the state of Nebraska as a whole feels the same way and makes Rose-Ivey's perspective seem less meaningful.

Delegitimization. There was a considerable amount of attention given to the players' explanations, most notably Rose-Ivey's prepared speech that he gave to reporters the Monday following the protest. There was not however, any attention given to the underlying reasons for the protests — police brutality and racial injustice, to sum up the words of Kaepernick. There were no articles in the analysis of the *World-Herald* or the *Journal Star* that tried to explain those issues, which are admittedly vague, despite both Kaepernick and Rose-Ivey explicitly saying why they protested. The stories included quotes from Rose-Ivey, Berry, and Neal, but there were never stories on the relationships between people of color and the police in Lincoln, for instance. A story like that would be both relevant and unique, looking at it from a local

perspective. That could be because the nature of the sports section in a traditional newspaper, and the journalists just are not used to covering those types of situations. But given the brouhaha that ensued after the protest, one would think reasonable attention would be paid to the reasons why someone would subject themselves to such scrutiny in the first place. Even when Rose-Ivey delivered his passionate, teary explanation, the focus was on the emotion he exhibited and the fabric of the team, rather than the deeply rooted issues at the heart of his protest. His point was to try to show people that if regular people can react so negatively and hatefully to his peaceful action on racial terms, then surely the relationship between law enforcement and people of color could be based on the same, albeit with much graver consequences. These issues were all but ignored in their coverage, which could also be because the issue itself is such a divisive topic currently. There is statistical evidence of unequal mistreatment of minorities and people of color by police officers across the country, yet this type of information was missing from stories about athletes protesting racial injustice.

Demonization. There did not seem to be many attempts made in the coverage to demonize the players as is typical of the protest paradigm, with the major exception that most of the coverage focused on their decision to protest during the national anthem. Despite the national anthem not being the cause of the protest, and simply a platform from which to do it, the public largely focused on that aspect, and the media was no different. The demonization usually comes from highlighting negative aspects of some protests like violence, property damage or the expenditure of community resources, but because this was a silent protest, the demonization of the protesters came in slightly different, lesser form. The question of why they chose to use the national anthem is a worthy one, but the amount of attention given to that above everything else only serves to make the protesters seem unpatriotic or un-American.

Also, their focus on the comments from Ricketts and Daub, especially in print, undoubtedly had a negative effect on the perception of these players in the public, especially considering the latter's comments mentioned the players should lose their scholarships or get kicked off the team.

During a divisive election year, these actions were not just viewed through the lens of sports or patriotism, but also in terms of politics. In a heavily conservative state, Ricketts' opinion is incredibly influential. So in addition to delegitimizing their cause by disagreeing and voicing his displeasure, he also called them "disgraceful and disrespectful," a phrase that was surely picked up by others to describe how they felt about the players' actions.

Findings. Like with the Kaepernick example, the coverage of the Huskers players by the local media mostly adhered to the protest paradigm, although the coverage did not adhere to every aspect to the extent that other protest coverage traditionally has. It is also important to note that not all of the coverage was equal, so while maybe one television station did not adhere to the paradigm at all, others did, and this analysis takes all the coverage into account as a whole. Because of this, it is difficult to say the overall coverage adhered to the paradigm completely. Overall though, the protest paradigm does apply to the coverage of the Huskers players, albeit differently from the way it applied to Kaepernick's case. A total of 22 articles and video packages adhered to at least three of the five characteristics, and only one story did not adhere to the protest paradigm at all. It is important to note the coverage does not overwhelmingly adhere to the paradigm, but the characteristics are prevalent enough to represent a trend.

How Coverage Could Improve

In past examples of protest paradigm coverage, scholars and researchers have suggested tips for improving the coverage of protests so it does not adhere to the paradigm and in turn

undermine the efforts of the protest group. McLeod (2007), suggested 10 normative recommendations to improve protest coverage, and ultimately the dynamics of social conflicts (p. 192). To put the coverage of the protests into a better perspective, looking at whether the coverage followed these guidelines, in addition to its adherence to the protest paradigm, would allow a more complete idea of how fair their coverage was. McLeod's 10 recommendations are as follows:

1. Identify key issues
2. Identify key stakeholders
3. Explain the positions and rationales of key stakeholders
4. Explain underlying policy implications and details
5. Consider using the debate frame
6. Treat demonstrators as legitimate political actors and give voice to their concerns
7. Seek responses from the institutions being challenged
8. Ignore bystanders
9. Invest the time in writing important stories
10. Avoid the pitfalls of the protest paradigm (2007, p. 192-4).

The coverage across the board for both Kaepernick and the Huskers followed many of these guidelines, perhaps to the effect of mitigating the negative pitfalls of the protest paradigm. In general, the coverage did a good job of the first three points by identifying the key issues and stakeholders and explaining the positions and rationales of key stakeholders.

The explanations of the positions of key stakeholders did not always come with the underlying policy implications, which is not wholly inappropriate, given that most people probably were not quite sure what the implications of policy regarding racial injustice would be. While these athletes got the conversation started, it has yet to be determined what kind of impact it can have on actually affecting policy change.

The most common frame was the debate frame among the coverage, so obviously journalists have improved in that aspect of the coverage. The next recommendation, however, is

difficult to gauge, because not everyone agreed about the rights of student-athletes to protest in the capacity of representing the football team during a game. Even if the framing of the coverage was a debate or discussion, that does not necessarily mean that Kaepernick, Rose-Ivey, Neal or Berry were treated as legitimate political actors. Rather, they were often portrayed as being outspoken athletes who wanted to use their platform for selfish purposes. And though sports talk shows like those that inundate ESPN's weekly afternoon viewing schedule were not a focus of this research, most of them did not treat these players as legitimate political actors, or in Kaepernick's case, as intellectuals.

The coverage did a good job of seeking responses from institutions, but not necessarily the institutions being challenged. There was not much coverage in the way of talking to government officials about police reform or how to address increasing instances of violence or death at the hands of police. The only government officials involved were asked simply for their opinion, but not about Kaepernick's primary interest in protesting in the first place. In this regard, the coverage could improve by using those sources only when they relate to the issue at the heart of the protest.

Almost none of the coverage ignored bystanders, and in fact most of it was filled with comments from people who could only qualify as bystanders (i.e. all those athletes who did not protest, any random veterans, fans at the game, etc.). *The New York Times* perhaps was the only news source that mostly avoided using these in their stories, although it did feature a series of opinion pieces from people who would probably qualify as bystanders as well, given they had no stake in the protest other than voicing their opinion on the matter.

The coverage from all sources, except the broadcast stations in the Huskers' analysis, varied widely and touched on the issue from a number of different perspectives and viewpoints,

which is something that has traditionally lacked from coverage of protests. They surely took out the time to write important stories, and though some included aspects of the protest paradigm, not many were to a degree that they outweighed the benefits of the type of coverage. Stories about patriotism, politics, Kaepernick's future as an activist – all of these are important lenses through which to look at this situation, and there were plenty of these types of stories. There were not, however, enough stories highlighting the actual problems he was protesting. Though, in the case of the local and national newspapers, they often cover those in other sections of the newsroom.

Lastly, McLeod recommends avoiding the pitfalls of the protest paradigm, which is hard if one still adheres, even in part, to the paradigm. The coverage of these two protests did not completely adhere to the protest paradigm and therefore they did not completely avoid the pitfalls of the paradigm. The biggest pitfall of the paradigm is the way it delegitimizes the protesters and their message while also demonizing them personally, so as to make them seem less credible or untrustworthy. Though it is mentioned above that these two characteristics were not overly apparent in the coverage, they were certainly apparent in the way people perceived them. In other words, many people rush to discredit and undermine others on their own, regardless of a protest, so the coverage may not have needed to do that in order to get that effect. The coverage may have had the effect of demonizing Kaepernick just by including that several other football players do not agree with him, or mentioning that some people think he is un-American.

Future Research

The findings from the analysis, as well as the recommendations McLeod (2007) gave for journalists covering these events, bring up a number of future research topics related to sports

protests in general, and national anthem protests in particular. The most obvious to this author would be to analyze the coverage of these protests where many, if not most, are bound to encounter it, which is through social media or on mobile devices. Indeed, while there were several stories written daily by some publications, networks like ESPN basically had 24/7 coverage of the protest, filling its daily schedule with hours upon hours of talk of Kaepernick. Looking at social media's impact on this situation would provide context for how some in the community actually feel, perhaps providing a more accurate description of public opinion than using generalized statements or just assuming.

In addition to looking at social media's impact, it would be beneficial to look at how television or radio sports talk and debate shows influence developing opinions. ESPN is undoubtedly the largest and most influential sports network, and there has been a shift at the company toward entertainment rather than news. It still provides highlights and coverage of daily events and athlete features, but most of ESPN's programming outside of live sports is now talk or debate shows like *First Take*, *Highly Questionable*, *Around the Horn*, or *Pardon the Interruption*. These shows run consecutively throughout the day, pumping through the same lineup of topics and talking points, and there is an argument to be made the personalities on these shows influence the opinions of their audiences to an unknown extent. One only needs to watch *First Take* in the morning and then have a conversation with another sports fan to hear the arguments of pundits like Stephen A. Smith or Max Kellerman repeated nearly verbatim. Because shows like that are highly popular, it is not a stretch to think those types of shows have even more influence on the public than the types of media included in this analysis. *The Times and Journal* may still be influential, but print and digital (i.e. written) news is losing influence seemingly by the day. People have short attention spans and reading a comprehensive story

about the Kaepernick protest probably does not sound appealing to someone who can watch a 30-second clip of someone's hot take and then adopt that argument. Therefore, one focus of future protest paradigm analyses should be on broadcast news, and not just ESPN.

Also, a potential area of research is to see if there is a different paradigm that applies to silent protests as opposed to more active, radical protests. Journalists are admittedly getting better at covering these protests, as evidenced by the scholarship on the subject, but in replacing old bad habits, there is the possibility they are developing new ones in covering protests. Another research topic could look at the way journalists discuss an issue on social media versus how they cover it for their publication. In both instances they are in the capacity of a journalist, but on social media they have the freedom to opine and be subjective, which can have an impact on how one reading that coverage might interpret it.

Another research focus could be to see how effective national anthem protests actually are in affecting change. Do their messages get drowned out by their platform, despite how peaceful their actions may be? Historically, athlete protests have yielded incredible changes in the sports and academic world, though it is hard to evaluate just what kind of change they have been able to drive on a societal scale. Protesting during the anthem implies to many people that one is protesting the whole country, or the idea of America. In a sense, that is true, but only in the way the country may not be currently living up to the standards it has established for itself. Other athlete protests not involving the national anthem have led to considerable change, but there is not as much evidence it is the same for those that do. Seeing if there is a correlation there would be an interesting research approach.

Looking at the coverage of more examples of the amateur athletes in high school and college who participated in the protests would perhaps be more telling about how people felt on a

local level. There were countless protests by young kids and teenage athletes all across the country, with many of them being punished in the form of forfeited games or seasons, team suspensions, or at the very least public condemnation by school or league administrators and/or spectators. Therefore, the coverage of these protests would allow for a better look at how certain communities felt about and responded to them. Additionally, looking at these examples would enable one to see just how much influence an athlete like Kaepernick can have on younger generations of athletes.

Conclusion

The coverage of the Colin Kaepernick national anthem protest, as well as the Nebraska Cornhuskers' protest, mostly, though not fully, adhered to the protest paradigm. It did not fully adhere for a couple of reasons. First, the nature and method of the protest did not lend itself to the all characteristics of the paradigm, as it usually deals with more radical protest groups. Second, as a professional athlete, Kaepernick — and to a smaller extent the Huskers players — has a platform unlike many other protest groups, and therefore did not and does not have to rely on the coverage to gain exposure or raise awareness.

However, the coverage adhered to the protest paradigm through the widespread invocation of public opinion, reliance on official sources, demonization, and delegitimization of the protests. Even if not all of those were prevalent to the same extent, they were prevalent enough to be a trend, though not enough to say the coverage completely adheres to the protest paradigm.

There were several questions at the root of this analysis the author hoped to answer, including:

- Did coverage focus more on people's reaction to his protest or on the action itself?

- How much attention was given to the actual issue of police brutality and racial injustice in the coverage?
- Did coverage differ between sports outlets and traditional news outlets?
- What does the public reaction, and the subsequent media coverage, say about the attitude in this country toward people of color, especially athletes, protesting?

The coverage paid much attention not only to how people felt about sitting/kneeling during the anthem, how he could do it differently, and how veterans felt about the flag, but also to bystander reactions from players and fans. Almost no attention was given to the actual point of the protest: which was instances of violent, sometimes deadly police encounters and systemic unfair treatment of minorities and people of color by law enforcement. Rarely, if ever, was this actually addressed, other than to mention it as the reason for the protest.

The coverage between the sports outlets and traditional news outlets was fairly different. As Kaepernick's protest carried on into the season, places like ESPN and *USA Today* began shifting to coverage that was half protest-related and half football-related. The *Wall Street Journal* and *The New York Times* mostly stayed away from any mention of the football side of things, at least until after the season ended and Kaepernick's future in the league became an issue worthy of discussion.

The Nebraska Cornhuskers' protest featuring three football players was covered fairly well by the local media. Their coverage did include aspects of the protest paradigm but, like Kaepernick's coverage, did not completely adhere to it. There were also several underlying questions at the core of this analysis, including most importantly these two: Does being a student-athlete open one up to more or less criticism for these types of actions? And, in a state

where football reigns supreme both socially and financially, what does the response to the athletes say about the general attitude toward peaceful protest in Nebraska?

As opposed to a professional football player, college football players do not have the same amount of leverage, exposure, clout or credibility to be completely independent of the school they are representing. Because of this, these players faced a level of scrutiny perhaps about on par with that of Kaepernick, as evidenced by the responses the athletes got on social media. And whereas professionals can speak for themselves, student-athletes are limited in what they can do, hence why there was only one protest all season by the Huskers players. As far as what the coverage and reaction from the public says about a state which profits handsomely from the university and its football team, the goal is to avoid the sweeping generalized statements that are characteristic of the paradigm. But, given how many in the state responded, and how they revealed they feel about the role of student-athletes, it would not be a stretch to say few supported the type of protest in which these players engaged. Nebraska football is arguably the most important tradition in the state (and it is hardly arguable), and it is clear many in the state are not all that comfortable with football players using their platform as athletes to speak their minds.

The protest paradigm applies to silent protests, perhaps not to the extent that it is applied to more radical protests and demonstrations, but it applies. The characteristics manifest themselves in different ways, though the extent to which they are different is debatable. The coverage of protests seems to have been getting better as time goes on, although journalists are undoubtedly faced with new challenges that make completely avoiding the protest paradigm difficult. Awareness about the pitfalls of the paradigm is key to avoid adhering to it when

covering protests, and progress is being made in that regard, but there is still a long way to go to figure out how best to discuss issues like the one Kaepernick bet his career on.

Epilogue

As of this writing in the late summer of 2017, Colin Kaepernick is not employed by an NFL team. After the season, Kaepernick and the 49ers parted ways when he opted out of his contract, making him an unrestricted free agent. The league response has been eerily similar to the one the NBA had for Mahmoud Abdul-Rauf, who was all but blackballed from playing because of his protest. Teams have refused to sign Kaepernick. Some, like the New York Giants, have alluded to the distraction Kaepernick might be and cited the multitude of fan letters talking about their disapproval. Other teams have responded more subtly, avoiding talk of protests and explaining their unwillingness to sign the 29-year-old quarterback as a football decision. Many more reasons have been given, ranging from his recent change to a vegan diet, to his perceived desire to get paid more than he deserves, to saying that he does not want to be a backup. None of these seem to be true, as a number of quarterbacks who are less experienced and statistically inferior to Kaepernick have been signed, and only a few teams have even expressed interest in him (Kawakami, 2017). Even the player who lost his job to Kaepernick last season, Blaine Gabbert, has signed with a team (Somers 2017).

Football aside, Kaepernick announced shortly after the season ended he would stand during the anthem before games, effectively ending his protest. (Schefter, 2017). Having believed his protest sparked a national discussion and created positive change, he announced he would stand for the anthem to avoid detracting from the greater purpose of his activism. When Kaepernick began his protest, he did so along with a pledge to donate \$1 million to community organizations helping underserved people, which he did by donating \$100,000 to a different organization for 10 months (Schefter 2017). At the end of the season, Kaepernick was awarded the Len Eshmont Award, which is the highest in-house honor the 49ers have, and is awarded to

the person who "best exemplifies the inspirational and courageous play of Len Eshmont, an original member of the 1946 49ers team" (Schefter, 2017). The voting is done by the 49ers personnel, including players.

The coverage of Kaepernick since the end of the season has still focused on his protest and the potential distraction it could be to a team, despite the fact he will no longer protest. He is a topic of discussion nearly every day, especially with each new signing of a quarterback. The insistence to keep the focus around him about his protest undoubtedly has negatively affected his ability to sign with a team. As the beginning of the season gets closer, one of the biggest talking points is whether he will play this year, but that seems less likely by the day.

The Huskers' protest has not received much coverage at all since the middle of last season, and given Kaepernick's current situation, it is unlikely to be a topic of discussion again in the near future. Michael Rose-Ivey graduated from the university, and DaiShon Neal and Mohamed Barry are still enrolled and on the team. It is hard to say these players received any unfair consequences as a result of the protest. Rose-Ivey entered his name into the NFL draft but when undrafted, which was a likely scenario whether he protested or not.

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